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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,690	02/17/2004	Katsushi Habu	2630.3170.001 (616SC)	2032

23399 7590 04/20/2006

REISING, ETHINGTON, BARNES, KISSELLE, P.C.
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EXAMINER

CHIESA, RICHARD L

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/780,690

Applicant(s)

HABU ET AL.

Examiner

Richard L. Chiesa

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2006 and 20 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 and 9 is/are allowed.
- 6) ☒ Claim(s) 1-7 and 10-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed on March 10, 2006 has been entered.

Drawings

2. The replacement sheet correcting the drawings was received on March 20, 2006. This corrected drawing is accepted by the examiner.

Claim Rejections - 35 USC § 102/103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-7, and 10-17 are again rejected under 35 U.S.C. 102(b) and/or 103(a) as being unpatentable over the prior art as applied in paragraphs 7-10 on pages 4 and 5 of the last Office action (dated December 9, 2005).

5. Newly presented claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Payne in view of Walbro Far East. Payne, as described in paragraph 4 above and in paragraph 7 on page 4 of the last Office action (dated December 9, 2005) discloses a float bowl carburetor substantially as claimed. It would appear that Payne may not explicitly state that the fuel passage is formed at least in part in the fuel bowl. In any case, Walbro Far East teaches

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the well-known use of a fuel passage 15 formed at least in part in the fuel bowl 4 of a float bowl carburetor for the purpose of increasing fuel supply at the time of starting (note English language abstract). Therefore, it would have been readily obvious to one having ordinary skill in the art to employ a fuel passage formed at least in part in the fuel bowl of the Payne float bowl carburetor in order to facilitate starting as taught by Walbro Far East.

Allowable Subject Matter

6. Claims 8 and 9 are allowed.

7. Claim 1 would be allowable if rewritten or amended to include all of the limitations of dependent claims 2, 5, and 6.

8. As allowable subject matter has been indicated, applicants' reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a). Applicants are reminded that they still have not corrected the error on the third line of the abstract noted by the examiner in paragraph 2 on page 2 of the first Office action (dated October 5, 2005). The word "is" on the third line of the abstract must apparently be deleted.

Response to Arguments

9. Applicants' arguments filed on March 10, 2006 have been fully considered but they are not persuasive for the reasons explained below.

In the first place, applicants' assertion that Payne fails to disclose a fuel passage formed at least in part in the body is apparently incorrect. Payne's fuel passage 64 is formed in a piece of equipment carried by the carburetor body. Such a construction is certainly not precluded by claims 1 and 4. In fact, fuel passage 94 in applicants' elected Figure 1 appears to be virtually identical to the Payne construction because applicants' fuel passage is also formed in a piece of equipment (note ref. num. 88, 90) carried by the carburetor body 12.

Secondly, the fact that Payne also employs a small bleed passage 62 to reduce flooding seems to be irrelevant to the issues at hand. This is simply an additional expedient for improving carburetor operation.

Thirdly, applicants' contentions that Takano et al do not disclose the claimed fuel passage or priming system is apparently irrelevant because Takano et al were relied upon to teach the common practice of employing a perforated fuel supply pipe in a carburetor for improving fuel flow. Such an expedient is useful in many varieties of carburetors.

Finally, contrary to applicants' remarks, Walbro Far East does show a fuel passage 15 extending through a hole in the fuel bowl 4 as recited in newly presented claims 18 and 19.

Conclusion

10. Applicants' amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard L. Chiesa whose telephone number is (571) 272-1154.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane S. Smith, can be reached at (571) 272-1166.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1700 receptionist whose telephone number is (571) 272-1700.

Facsimile correspondence must be transmitted through (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Richard L. Chiesa
April 18, 2006

Richard L. Chiesa

**RICHARD L. CHIESA
PRIMARY EXAMINER
ART UNIT 1724**

April 18, 2006

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FACSIMILE COVER SHEET

TO:

Richard L. Chiesa

FROM:

Matthew J. Schmidt

COMPANY:

United States Patent and Trademark Office

FAX NUMBER:

571-273-1154

DATE:

March 20, 2006

PHONE NUMBER:

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March 20, 2006

Richard L. Chiesa
United States Patent and
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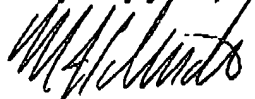
Re: U.S. Patent Application Serial No. 10/780,690
For: "Priming System for a Float Bowl Carburetor"
Our Reference: 616SC [2630.3170.001]

Dear Mr. Chiesa:

Pursuant to our telephone conversation, I am enclosing the Replacement Sheet for Sheet 3 of the drawings for the above-referenced application.

If you have any questions, comment or concerns, please do not hesitate to contact me or William Francis.

Very truly yours,



Matthew J. Schmidt

MJS/jds

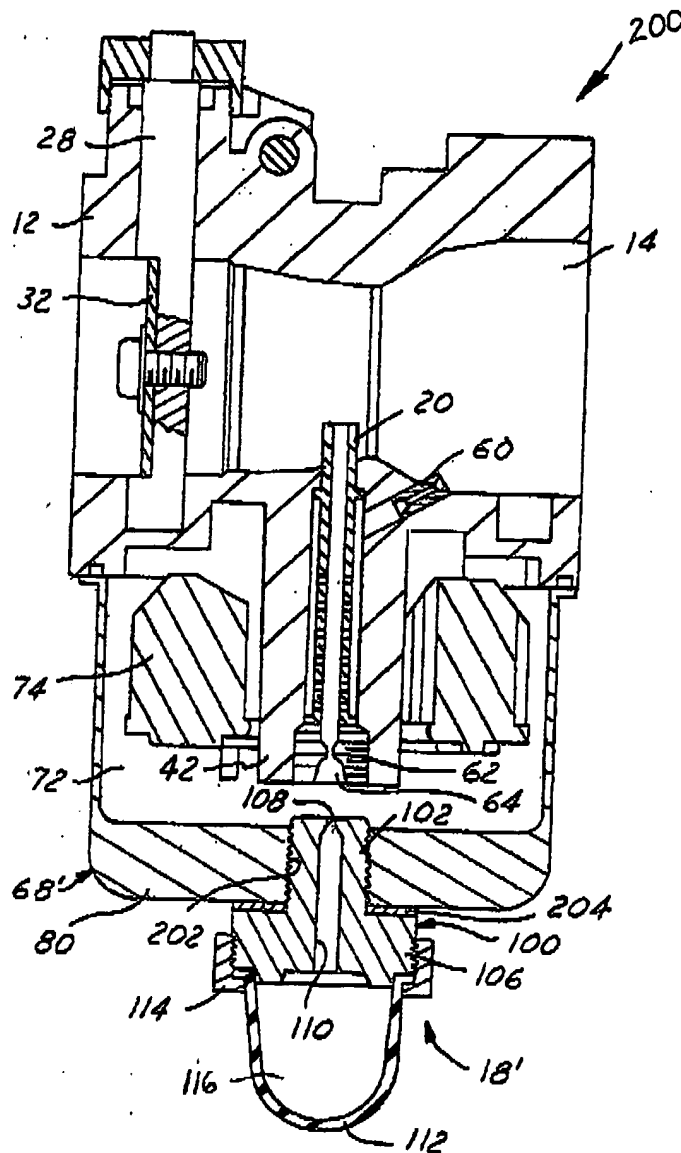
Priming System for a Float Bowl Carburetor

Katsushi Habu

616SC [2630.3170.001]

Sheet 3 of 3

REPLACEMENT SHEET

FIG. 3